

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	No 1:19-cr-00058-001
v.)	
)	Judges McDonough/Steger
SEAN AUSTIN SCOTT)	

MEMORANDUM AND ORDER

SEAN AUSTIN SCOTT (“Defendant”) came before the Court for an initial appearance on June 12, 2019, in accordance with Rule 46(a) of the Federal Rules of Criminal Procedure and 18 U.S.C. " 3142 and 3148, on a Petition for Action on Conditions of Pretrial Release ("Petition")[Doc. 16].

After being sworn in due form of law, Defendant was reminded of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution. Defendant was represented at the hearing by Attorney John Brooks.

Defendant was furnished with a copy of the Petition, and had an opportunity to review that document with his attorney. The Court determined that Defendant was able to read and understand the Petition with the assistance of his counsel. In addition, AUSA Perry Piper explained to Defendant the specific charges contained in the Petition. Defendant acknowledged that he understood the charges in the Petition.

Defendant was advised of his right to a preliminary hearing and a detention hearing. Defendant waived the preliminary hearing and detention hearing and made no effort to rebut the allegations in the Petition. The Court finds that: (1) Defendant has committed violations of the Order Setting Conditions of Release [Doc. 12]; (2) by clear and convincing evidence, that Defendant is a danger to the community and that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community; and (3) by a preponderance of evidence, that Defendant is a flight risk and that no condition or combination of conditions of release will reasonably assure the Defendant's appearance as required. Consequently, the Court **GRANTED** the Government’s oral motion to detain Defendant pending disposition of the Petition or further Order of this Court.

It is, therefore, **ORDERED** that:

1. The Petition for Action on Conditions of Pretrial Release [Doc. 16] is **GRANTED**.

2. Defendant shall be **DETAINED WITHOUT BAIL** pending further Order of this Court.

ENTER.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE